

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

SYSKO COLUMBIA, LLC

and

INTERNATIONAL BROTHERHOOD
OF TEAMSTERS, LOCAL UNION 509

Cases: 10-CA-197586
10-CA-197588
10-CA-203636
10-CA-210623

**SYSKO COLUMBIA, LLC’S REQUEST FOR AN EXTENSION OF TIME AND AN
EXTENSION OF THE PAGE LIMIT IN SUPPORT OF EXCEPTIONS**

Pursuant to Section 102.46 of the National Labor Relations Board’s Rules and Regulations, Sysco Columbia, LLC, by and through its undersigned attorneys, hereby requests a 14-day extension of time to file exceptions to the decision of the Administrative Law Judge (“Judge”) and permission to file a supporting brief in excess of fifty (50) pages. In support of this request, Sysco Columbia, LLC states:

1. Judge Ira Sandron’s Decision is thirty (30) single-spaced pages long and comes after ten (10) days of hearing. The transcript is 1,225 pages, and contains the testimony of thirty (30) witnesses. In addition, more than 119 exhibits were entered, many containing multiple pages. After the hearing concluded, the parties submitted more than 138 pages of briefs.
2. This large record presents numerous complex legal and factual questions.
3. Sysco Columbia, LLC must carefully evaluate each of the Judge’s numerous legal conclusions and factual findings in light of this capacious record. Moreover, Sysco Columbia, LLC must not only analyze the Judge’s Decision on the merits, but also is required to bring to the National Labor Relations Board’s attention any procedural and evidentiary rulings it seeks to challenge.

4. Justice requires that Sysco Columbia be allowed an opportunity to complete a careful analysis of such a Decision and large record, and to file thoroughly researched and detailed exceptions. An extension of fourteen (14) days will allow Sysco Columbia, LLC to consider the record and the law carefully, and present a focused series of exceptions that will aid the Board's consideration of the questions in this case.

5. After the ALJ's decision was issued, counsel for Sysco Columbia, LLC requested mediation with General Counsel. To date, General Counsel has not offered Sysco Columbia, LLC a position on mediation. Mediation of the matter would effectuate the act, and save time and government resources.

6. Moreover, Sysco Columbia, LLC's headquarters are located approximately an hour and a half from the coast of South Carolina. Governor Henry McMaster has executed an executive order declaring a state of emergency due to Hurricane Florence. The coast has been evacuated, and most residents in Columbia have been urged to move to higher ground, given the Flood in 2015. As a result, the individuals at Sysco Columbia, LLC who would need to review the documentation are currently in a state of emergency and will not have an opportunity to fully review the exceptions and brief.

7. This request will not cause delay or prejudice to any party in this case, nor will it impede the Board's consideration of the matter. It does not serve the interest of the Act, the Board, or the parties to demand that Sysco Columbia, LLC rush to file exceptions.

8. Sysco Columbia, LLC requests to file a brief not in excess of 100 pages. Such a brief is required to address exceptions to the Judge's final Decision, evidentiary or other ruling, during the ten (10)-day hearing, as well as his many Decisions with respect to motions made. It will not be possible to present the legal issues to the Board and properly address the Board's

requirements for exceptions and briefs arising out of the Judge's thirty (30) single-spaced Decision, procedural findings contained in the 1,225-page record, as well as the Judge's off-record Decisions within the confines of fifty (50) pages. *See* N.L.R.B. Rules and Regulations § 102.46. Sysco Columbia, LLC submits that a brief no more than 100 pages is required to comply with the Board's requirements on exceptions in the circumstances of this case.

9. On September 12, 2018, Sysco Columbia, LLC's counsel contacted General Counsel, and John Evans has consented to this request.

For the reasons stated above, Sysco Columbia, LLC seeks to file a brief not in excess of 100 pages on or before September 27, 2018.

Respectfully submitted this 12th day of September, 2018.

OGLETREE, DEAKINS, NASH,
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